

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

NOS-111

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

10/566,069

INTERNATIONAL APPLICATION NO.

PCT/EP2004/006250

INTERNATIONAL FILING DATE

09 June 2004

PRIORITY DATE CLAIMED

29 July 2003

TITLE OF INVENTION

METHOD FOR PRODUCING A HARDENED PROFILE PART

APPLICANT(S) FOR DO/EO/US

Werner BRANDSTÄTTER et al.


Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
  2. ☒ This is a **SECOND OR SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
  3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
  4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
  5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
    - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
    - b. ☐ has been transmitted by the International Bureau.
    - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
  6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)). (verified)
  7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
    - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
    - b. ☐ have been transmitted by the International Bureau.
    - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
    - d. ☐ have not been made and will not be made.
  8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). (verified)
  9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (9 pages, executed, attached to a copy of the International Application)
  10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11. to 16. below concern other document(s) or information included:
11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
  12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. (10 pages total)
  13. ☐ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
  14. ☐ A substitute specification. (attached to a red-ink marked-up version of the English language translation)
  15. ☐ A change of power of attorney and/or address letter.
  16. ☒ Other items or information:
    - Copy of Notification of Missing Requirements Under 35 U.S.C. 371
    - Certificate of Mailing by Express Mail (2 pages)
    - Return Receipt Postcard

EXPRESS MAIL NO.: EV924406773US

MAILED: 01 May 2007

CUSTOMER NO.: 42419

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/566,069		INTERNATIONAL APPLICATION NO. PCT/EP2004/006250		ATTORNEY'S DOCKET NUMBER NOS-111			
17. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):  Basic National Filing Fee ..... \$ 300.00  National Stage Search Fee ..... \$ 500.00  National Stage Examination Fee ..... \$ 200.00				CALCULATIONS		PTO USE ONLY	
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$	0.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	130.00		
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE				
Total claims			X \$50.00				
Independent claims			X \$200.00				
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00				
TOTAL OF ABOVE CALCULATIONS =				\$	130.00		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.							
SUBTOTAL =				\$	130.00		
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).							
TOTAL NATIONAL FEE =				\$	130.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	40.00		
TOTAL FEES ENCLOSED =				\$	170.00		
05/04/2007 MKAYPAGH 00000107 10566069 01 FC:1617 130.00 OP				Amount to be:		\$	
				refunded			
				charged		\$	
a. <input checked="" type="checkbox"/> A check in the amount of \$170.00 to cover the above fee is enclosed.							
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.							
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-3550. A duplicate copy of this sheet is enclosed.							
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.							
SEND ALL CORRESPONDENCE TO:  Pauley Petersen & Erickson 2800 West Higgins Road, Suite 365 Hoffman Estates, Illinois 60169 (847) 490-1400 Fax: (847) 490-1403				SIGNATURE   Melanie I. Rauch  NAME  40,924  REGISTRATION NUMBER			



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/566,069	Werner Brandstatter	NOS-111

Pauley Petersen & Erickson  
2800 West Higgins Road  
Suite 365  
Hoffman Estates, IL 60195

INTERNATIONAL APPLICATION NO.	
PCT/EP04/06250	
I.A. FILING DATE	PRIORITY DATE
06/09/2004	07/29/2003

CONFIRMATION NO. 9981  
371 FORMALITIES LETTER



Date Mailed: 03/08/2007

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/26/2006
- English Translation of the IA filed on 01/26/2006
- Copy of the International Search Report filed on 01/26/2006
- Preliminary Amendments filed on 01/26/2006
- Information Disclosure Statements filed on 06/12/2006
- Request for Immediate Examination filed on 01/26/2006
- U.S. Basic National Fees filed on 01/26/2006

*Response to missing requirements*  
DOCKETED  
DATE 08 May 07  
ATTORNEY MR  
ENTERED CSH  
007946

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/566,069	PCT/EP04/06250	NOS-111

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Werner BRANDSTÄTTER et al.  
Title: METHOD FOR PRODUCING A HARDENED  
PROFILE PART  
Serial No.: 10/566,069  
Based Upon: PCT/EP2004/006250  
Express Mail No.: EV924406773US  
Date of Deposit: 01 May 2007

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

**Mail Stop PCT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that the following requisites of the subject patent application are being deposited with the United States Postal Service as Express Mail Post Office to Addressee No. EV924406773US, on 01 May 2007, and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, together with the items listed below.

- Transmittal Letter (Form PTO-1390) (2 pages), in duplicate
- Executed German Language Declaration (9 pages), attached to a German language copy of the International Application

Serial No.: 10/566,069

- Recordation Form Cover Sheet, together with executed Assignment Document (10 pages total)
- A check in the amount of \$170.00 to cover the fees set forth in the Transmittal Letter
- Copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)
- Return Receipt Postcard

Respectfully submitted,



Melanie I. Rauch

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